

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 2919

In the matter of the application of THE PEOPLE OF THE STATE OF CALIFORNIA, on relation of the department of engineering for permission to construct a state highway at grade over the tracks of The Atchison, Topeka and Santa Fe Railway Company at Del Mar, Cardiff and Encinitas, San Diego County, California.

ORIGINAL

Application No. 1628.

By the Commission,

O R D E R.

THE PEOPLE OF THE STATE OF CALIFORNIA, on relation of the department of engineering, having on April 16, 1915, filed with the Commission an application for permission to construct a state highway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company at Del Mar, Cardiff and Encinitas, San Diego County, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that applicant has secured an easement for these crossings from The Atchison, Topeka and Santa Fe Railway Company, dated July 30, 1915, granting permission for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with the tracks of The Atchison, Topeka and Santa Fe Railway Company at Del Mar, Cardiff and Encinitas, and that this application should be granted, subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That the People of the State of California be and the same hereby are granted permission to construct a state highway at grade over the tracks of The Atchison, Topeka and Santa Fe Railway Company at Del Mar, Cardiff and Encinitas, San Diego County, California, as shown by the map attached to the application, subject to the following conditions, viz.:-

(1) The entire expense of constructing the crossings at grade shall be borne by applicant.

(2) The expense of maintaining the crossings thereafter in good and first-class condition for the safe and convenient use of the public up to within two (2) feet of tracks of The Atchison, Topeka and Santa Fe Railway Company shall be borne by applicant. The Atchison, Topeka and Santa Fe Railway Company shall maintain said crossings across its tracks and to a distance of two (2) feet outside thereof.

(3) Said crossings shall be constructed of a width not less than twenty-four (24) feet, with grades of approach not exceeding four (4) per cent, and shall in every way be made safe and convenient for the passage thereover of vehicles and other road traffic.

(4) For the protection of these crossings there shall be installed at each of them a first-class, automatic flagman of a type approved by the Commission. The cost of furnishing and installing said flagmen shall be borne by applicant and the cost of maintaining them thereafter shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 20th day of November, 1915.

Max Thelen
W. H. ...
...
Edwin O. Edgerton
Francis R. ...

Commissioners.